

EXHIBIT 2

From: [Scott Klein](#)
To: [Robert MacGill](#)
Cc: [Patrick Sanders](#); [Steve Mintz](#); [Terence McCormick](#); [Kathy Klein](#); [Alex Otchy](#); [Scott Murray](#); [Adam Brody](#)
Subject: RE: Hunt Discovery Issues
Date: Tuesday, February 6, 2024 2:17:59 PM
Attachments: [image001.png](#)
[image002.png](#)

Robert,

First, as you well know, we have not refused to meet and confer -- we only have refused to meet and confer on your unilateral and unreasonable deadlines, as we have explained to you previously. Typically, most attorneys work together to find times that work for everyone, but you have avoided that at all costs, at every turn, time and time again. It is getting more and more difficult to even have a basic conversation when you have refused to act in good faith.

We received an email from you at 8:39 am this morning, asking to speak less than 3 ½ hours later concerning at least two topics that we only learned about yesterday afternoon. There is nothing to even meet and confer about, since we have not even discussed these new/amended notices with our client.

As to the document requests attached to your Notices, they demand a response within 10 days (or less), rather than the 30 days that is required under the FRCP. Thus, they are improper.

As to your demand that we provide you with a date certain for a 30(b)(6) deposition notice we received less than 24 hours ago, again we reject this unilateral, unreasonable way of working through discovery. It is both unproductive and unprofessional. As we always do, we will speak with our clients and find available dates for a 30(b)(6) deposition that also works with your schedule and ours, and will then propose dates and times to you.

We cannot stop you from making motions to compel on issues that are not ripe for judicial intervention; we can only urge you to act reasonably and professionally with all counsel to keep the nonsense off the Court's docket.

Scott



Scott Klein
600 Third Avenue, 25th Fl., New York, NY 10016
D 646.792.0333 | O 212.696.4848 | C 917.886.2204



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From: Robert MacGill <robert.macgill@macgilllaw.com>

Sent: Tuesday, February 6, 2024 11:14 AM

To: Scott Klein <Klein@mintzandgold.com>

Cc: Patrick Sanders <patrick.sanders@macgilllaw.com>; Steve Mintz <Mintz@mintzandgold.com>; Terence McCormick <McCormick@mintzandgold.com>; Kathy Klein <KKlein@rjfirm.com>; Alex Otchy <otchy@mintzandgold.com>; Scott Murray <scott.murray@macgilllaw.com>

Subject: Re: Hunt Discovery issues

Scott,

Guidepost has continually refused to meet and confer as required. Your note below is a further confirmation.

If you are not free on February 14, what day can you make work for this important 30(b)6 testimony? It is very important that this testimony be completed before February 20 to allow discovery to proceed in a reasonable manner. If a prompt date is not provided, we intend to move to compel tomorrow morning.

Also, please confirm you will abide by the Meyers subpoena as required (February 13 at 5 PM). If we do not receive your confirmation by 5 PM today, we will move to compel tomorrow morning.

Best regards.

Robert D. MacGill
MacGill PC
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156 E. Market St.
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Indianapolis, IN 46204
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P Please consider the environment before printing this email.

On Tue, Feb 6, 2024 at 10:59 AM Scott Klein <Klein@mintzandgold.com> wrote:

Patrick,

Thanks for the email.

Unfortunately, we do not have availability at noon ET today. The next two days are backed up with court appearances and court hearings in another matter, so we think it makes sense for each of us to put our positions in writing and go from there.

We just received your Notice regarding topics late yesterday and have not even discussed it with our client yet, so we are not in a position to discuss that in any event.

Finally, assuming we are able to agree on topics for a 30(b)(6) deposition of Guidepost, we are not available on Feb 14th for a 30(b)(6) deposition.

Regards,

Scott

Scott Klein
600 Third Avenue, 25th Fl., New York, NY 10016



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From: Patrick Sanders <patrick.sanders@macgilllaw.com>

Sent: Tuesday, February 6, 2024 8:39 AM

To: Scott Klein <Klein@mintzandgold.com>

Cc: Robert.MacGill@MacGillLaw.com; Steve Mintz <Mintz@mintzandgold.com>; Terence McCormick <McCormick@mintzandgold.com>; Kathy Klein <KKlein@rjfirm.com>; Alex Otchy <otchy@mintzandgold.com>; Scott Murray <scott.murray@macgilllaw.com>

Subject: Re: Hunt Discovery issues

Scott,

Could we set a call at noon eastern time today? We would like to discuss the topics referenced in your email, our open discovery issues with Guidepost discussed at last week's meet and confer, and compliance with our notice and document requests sent yesterday.

Best regards,

Patrick Sanders

Associate

MacGill PC

Patrick.Sanders@MacGillLaw.com

w: 317-961-5390

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www.MacGillLaw.com

On Mon, Feb 5, 2024 at 6:56 PM Scott Klein <Klein@mintzandgold.com> wrote:

Rob and Patrick,

A few quick items:

1. Please let us know if your client has agreed to produce all documents responsive to Document Requests 4 and 9 from Guidepost's Second Set of Document Requests:

4. **Documents sufficient to show Plaintiff's travel during the Relevant Time Period.**

9. **All credit card statements of credit cards issued to Plaintiff, including merchant location information, showing Plaintiff's expenditures during the Relevant Time Period**

As part of our effort to resolve this issue, we had agreed to narrow the timeframe to January 1, 2023 to the present if your client was inclined to produce documents within that timeframe.

2. Please let us know whether you agree to supplement your privilege log to include all communications exchanged prior to the filing of the complaint in this action. We are including in our privilege log any such communications between us and our client.
3. Please advise if you are reproducing bates HUNT_0002759 without the redaction between Mr. Hunt and his assistant Kerry.
4. Please advise if you are supplementing your production regarding Johnny Hunt's 2023 schedule and the excel spreadsheet (HUNT_0000115 and HUNT_0000116), as we provided Patrick with the bates number following that meet-and-confer call as per your request. If a 2024 schedule has been created, we assume you will be producing that as well.
5. Please advise if you are reproducing the documents we identified that are missing meta data, and specifically, HUNT_0001780.

Please provide answers to the above follow up requests by noon ET on January 7th.

Regards,

Scott



Scott Klein
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